

REFERENCE TITLE: Navajo Nation; child support payments

State of Arizona
Senate
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SM 1001

Introduced by
Senator Hale: Representative Deschene

A MEMORIAL

URGING THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO IMPROVE THE NAVAJO NATION'S ABILITY TO COLLECT AND TRACK CHILD SUPPORT PAYMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 To the Congress of the United States of America:

2 Your memorialist respectfully represents:

3 Whereas, the Navajo Nation is the largest Native American tribe within
4 the boundaries of the United States and is larger than ten of the fifty
5 states; and

6 Whereas, Navajo children under eighteen years of age comprise almost
7 half the total population, and some sixty-one per cent of Navajo grandparents
8 are responsible for grandchildren under eighteen years of age; and

9 Whereas, over half the population of the Navajo Nation lives below the
10 poverty level and over forty per cent of persons on the Navajo Nation are
11 unemployed; and

12 Whereas, collecting child support for children whose parents are able
13 to pay child support may be critical in the health and education of a good
14 portion of Navajo children; and

15 Whereas, the federal government granted the Navajo Nation and
16 thirty-nine other tribes the ability to collect child support, establish
17 paternity and enforce child and medical support obligations, but did not
18 grant the Navajo Nation access to information essential for investigation and
19 enforcement; and

20 Whereas, the federal government has suggested that states charge the
21 Navajo Nation for access to important personal files of potential payers of
22 child support; and

23 Whereas, the Navajo Nation has suggested five changes the United States
24 Congress can make to improve the ability to collect child support for Navajo
25 Nation members; and

26 Whereas, the Navajo Nation has collected almost \$3,000,000 in past-due
27 child support and has received more than ten thousand acknowledgments of
28 paternity for Navajo children; and

29 Whereas, the Navajo Nation department of child support enforcement
30 collected a total of \$7,248,237 in child support during fiscal year 2007.
31 Wherefore your memorialist, the Senate of the State of Arizona, prays:

32 1. That the United States Congress take steps to increase the Navajo
33 Nation's effectiveness in child support collection and enforcement:

34 (a) Eliminate the federal prohibition on the Navajo Nation's ability
35 to purchase and develop its own tribal child support computer system,
36 removing the need for the Navajo Nation to pay another government, such as
37 the State of Arizona, to get case information on Navajo residents living in
38 this state.

39 (b) Allow the Navajo Nation to access "locate and enforcement tools"
40 directly, removing the need to contract with other governments to provide
41 passport denial or revocation, multistate financial institution data
42 matching, the parent locator service, tax offset data and demonstration
43 grants made available by the federal government.

44 (c) Encourage the federal government to complete its design of a model
45 tribal child support system to increase efficiency and effectiveness.

1 (d) Reduce the percentage of monies required from the Navajo Nation in
2 order to match federal monies so that the Navajo Nation can receive federal
3 monies to help collect child support even during times of declining
4 employment.

5 (e) Provide the Navajo Nation an appeal of the federal determinations
6 of whether a hardship is severe enough to permit a waiver of strict rules
7 governing required tribal matching monies and add a possible waiver into
8 federal language for extreme economic problems instead of allowing a waiver
9 only for natural disasters, including extreme weather and calamities such as
10 hurricanes and earthquakes.

11 2. That the Secretary of State of the State of Arizona transmit copies
12 of this Memorial to the President of the United States Senate, the Speaker of
13 the United States House of Representatives and each Member of Congress from
14 the State of Arizona.